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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/666,280	09/21/2000	Kyoung Ro Yoon	24286/81251	8463

7590

02/28/2006

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EXAMINER

DUONG, OANH L

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/666,280	Applicant(s) YOON ET AL.	
	Examiner Oanh Duong	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 51-85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 51-85 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08/10/05; 11/14/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-50 have been cancelled.

Claims 51-85 are newly added and presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 51-85 are rejected under 35 U.S.C. 102(b) as being anticipated by Herz et al. (hereafter, Herz) (US 5,758,257).

Regarding claim 51, Herz teaches method for processing user preferences related to multimedia content consumption (see abstract), the method comprising:

providing a user description including a user preference description that has a hierarchical structure to describe preferences for filtering and searching (col. 29 lines 31-51 and col. 50 line 65-col. 51 line 55), the hierarchical structure including a parent preference element and one or more child preference elements of the parent preference element, each of the parent and child preference elements including at least one multimedia preference description to identify preferred multimedia content (col. 17 lines 45-65), wherein the parent preference element in the hierarchical structure includes

preference condition that specifies a place to which the preference element applies (col. 5 lines 23-52).

Regarding claim 52, Herz teaches the method of claim 51, wherein each of the parent and child preference elements includes a respective preference value to characterize relative importance of the corresponding multimedia preference description (Herz, col. 49 line 62-col. 50 line 15).

Regarding claim 53, Herz teaches the method of claim 51, wherein providing the user description includes receiving user input defining at least a portion of the multimedia preference description in one of the parent and child preference elements (col. 4 lines 41-46).

Regarding claim 54, Herz teaches the method of claim 51, wherein the user description includes a usage history describing events of consuming multimedia content (col. 29 lines 52-67).

Regarding claim 55, Herz teaches the method of claim 51, wherein filtering multimedia content includes recommending multimedia content (col. 23 lines 1-5).

Regarding claim 56, Herz teaches the method of claim 51, wherein the multimedia preference description in one of the parent and child preference elements specifies a multimedia genre (col. 22 line 47-col. 23 line 1).

Regarding claim 57, Herz teaches the method of claim 51, wherein the multimedia preference description in one of the parent and child preference elements specifies an actor or a director (col. 11 lines 45-58).

Regarding claim 58, Herz teaches the method of claim 51, wherein one of the child preference elements of the parent preference element includes a further preference condition (col. 5 lines 23-28).

Regarding claim 59, Herz teaches the method of claim 51, further comprising: updating the user description (col. 42 lines 12-24).

Regarding claim 60, Herz teaches the method of claim 51, further comprising: storing the user description (col. 45 lines 34-55).

Regarding claim 61, Herz teaches the method of claim 51, wherein the user description includes a user identifier specifying a name for one or more users (col. 26 lines 22-50).

Regarding claims 62-70, those claims represents a method for processing user preferences related to multimedia content consumption, taught by the prior art as identified on claim 51-61, discussed above, same rationale of rejection is applicable.

Regarding claims 71-76, those claims represents a system for processing user preferences related to multimedia content consumption, taught by the prior art as identified on claims 51-56, discussed above, same rationale of rejection is applicable

Regarding claims 77-80, those claims represents system for processing user preferences related to multimedia content consumption, taught by the prior art as identified on claims 51-56, discussed above, same rationale of rejection is applicable

Regarding claims 81-85, those claims represents a computer program product for processing user preferences related to multimedia content consumption, taught by the prior art as identified on claims 51-61, discussed above, the same rationale of rejection is applicable.

Response to Arguments

3. Applicant's arguments with respect to claims 51-85 have been considered but are moot in view of the new ground(s) of rejection.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O.D
February 20, 2006



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER